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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.
JERRETT NEWMAN,

Defendants.

CASE NO. 1:21-CR-00299-ADA; 1:16-CR-86
STIPULATION TO CONTINUE TRIAL; ORDER

DATE: November 14, 2023
TIME: 8:30 a.m.
COURT: Hon. Ana de Alba

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By this stipulation, the government and defendant now move to continue the jury trial set for November 14, 2023 until January 23, 2024, and to exclude time between November 14, 2023, and January 23, 2024, under Local Code T4.

2. The parties further request that the matter be set for a trial confirmation hearing on December 18, 2023.

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes reports, photographs, and audio files. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying. Additionally, the parties

1 have been engaged in discussions related to a potential disposition of this matter.

2 b) Counsel for defendant and the government desire additional time to further
3 discuss a potential disposition, and investigate and prepare for trial.

4 c) Counsel for defendant believes that failure to grant the above-requested
5 continuance would deny him/her the reasonable time necessary for effective preparation, taking
6 into account the exercise of due diligence.

7 d) The government does not object to the continuance.

8 e) Based on the above-stated findings, the ends of justice served by continuing the
9 case as requested outweigh the interest of the public and the defendant in a trial within the
10 original date prescribed by the Speedy Trial Act.

11 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
12 et seq., within which trial must commence, the time period of November 14, 2023 to January 23,
13 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
14 T4] because it results from a continuance granted by the Court at the parties' request on the basis
15 of the Court's finding that the ends of justice served by taking such action outweigh the best
16 interest of the public and the defendants in a speedy trial.

17 g) The parties also agree that this continuance is necessary for several reasons,
18 including but not limited to, the need to permit time for the parties to exchange supplemental
19 discovery, engage in plea negotiations, and for the defense to continue its investigation and
20 preparation, pursuant to 18 U.S.C. § 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv).

21 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
22 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
23 must commence.

24 IT IS SO STIPULATED.

25 Dated: September 26, 2023

PHILLIP A. TALBERT
United States Attorney


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27 /s/ STEPHANIE M. STOKMAN
STEPHANIE M. STOKMAN
28 Assistant United States Attorney

1 Dated: September 26, 2023

/s/ JOHN GARLAND
JOHN GARLAND
Counsel for Defendant
JERRETT NEWMAN

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6 IT IS SO ORDERED.

7 Dated: September 28, 2023


UNITED STATES DISTRICT JUDGE